

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 12, 2014

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Misertino made a motion to approve the minutes from the regular meeting held on October 22, 2014 with corrections, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

BILL LIST:

Mr. Watters made a motion to approve the bill list, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CLERKS REPORT

Ms. Hrebenak stated that the second meeting for November is presently scheduled for the Wednesday before Thanksgiving and the Tuesday before is the Recreation Committee meeting. Would the Committee be interested to change the meeting to November 24, 2014 at 7:30 pm.

Mr. Misertino made a motion to have the meeting advertised to be held on November 24, 2014, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ENGINEERS REPORT:

Mr. DiSessa stated that the work has begun on Janes Chapel Road.

EMPLOYEE REPORTS:

Mrs. Fascanelli stated that the Green Team is wrapping up the Rain Barrel Workshops and will be having the final one will be held on Sunday.

PUBLIC PORTION:

Mr. Farino came forward and requested that the Township Committee consider not taking a pay check for serving on the Committee.

RESOLUTION:

2014-121

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Township of Mansfield (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Warren and State of New Jersey, as follows:

1. Township of Mansfield hereby appoints Skylands Risk Management, Inc. its local Risk Management Consultant.
1. The Mayor (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2015 in the form attached hereto.

Mr. Watters made a motion to approve the passage of Resolution 2014-121, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

2014-122

STATEWIDE INSURANCE FUND
RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Township of Mansfield ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2015** terminating on **January 1, 2018** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

YES

NO

Workers' Compensation & Employer's Liability

***Liability, Property, Crime-Faithful Performance and Fidelity,
Inland Marine, Boiler and Machinery, Comprehensive General
Liability, Auto Liability, Auto Physical Damages
and Professional Liability***

Pollution Liability

Umbrella

BE IT FURTHER RESOLVED that Dena Hrebenak(*name of member employee*) is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Mr. Watters made a motion to approve the passage of Resolution 2014-122, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski
Nays: None

Absent: None
Abstain: None

2014-123

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Township of Mansfield (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the that Skylands Risk Management, Inc. is hereby appointed as the Fund Commissioner for the Local Unit for the year 2015; and

BE IT FURTHER RESOLVED that Dena Hrebenak is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2015; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund. .

Mr. Clancy made a motion to approve the passage of Resolution 2014-123, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2014-124

Return of Premium

TOWNSHIP OF MANSFIELD

WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$ 5,800.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th day of November 2014 that the \$5,800.00 premium is to be returned to the certificate holder as noted:

CERTIFICATE HOLDER

US Bank-Cust for Crestar Capital
2 Liberty Place
50 S. 16th Street, Suite 1950
Philadelphia, PA. 19102

BLOCK/LOT

Block 1303 Lot 6

CERT #

2012-12

Mr. Watters made a motion to approve the passage of Resolution 2014-124, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2014-125
LIEN REDEMPTION**

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th November, 2014 that payment is to be made to the certificate holder as noted:

US Bank-Cust For Crestar Capital
2 Liberty Place
50 S. 16th Street, Suite 1950
Philadelphia, PA. 19102

Block 1303, Lot 06
Certificate # 2012-12
\$ 15,678.18

Mr. Misertino made a motion to approve the passage of Resolution 2014-125, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2014-126
Return of Premium

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$ 23,000.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th day of November 2014 that the \$23,000.00 premium is to be returned to the certificate holder as noted:

CERTIFICATE HOLDER

FWDSL & Associates LP
5 Cold Hill Rd S., Ste 11
Mendham, NJ 07945

BLOCK/LOT

601.03/48

CERT #

2014-02

Mr. Watters made a motion to approve the passage of Resolution 2014-126, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2014-127
LIEN REDEMPTION

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th November, 2014 that payment is to be made to the certificate holder as noted:

FWDSL & Associates LP
5 Cold Hill Rd S., Ste 11
Mendham, NJ 07945

Block 601.03, Lot 48
Certificate # 2014-02

Mr. Watters made a motion to approve the passage of Resolution 2014-127, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION # 2014-128
FOR TRANSFER OF FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, there are insufficient funds in some of the 2014 budget line items; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of funds from accounts with a surplus to cover such demands,

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that the Chief Financial Officer of Mansfield Township, County of Warren, State of New Jersey, is hereby authorized to make the following transfers in accordance with the provision of this resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Planning Board O/E	\$ 400.00	
Mayor & Council S/W	\$ 4,600.00	
Financial S/W	\$ 15,000.00	
Streets & Roads O/E	\$ 2,000.00	
Tax Appeals O/E	\$ 20,000.00	
Engineering Services O/E	\$ 534.00	
Police O/E	\$ 4,663.08	
Finance O/E		\$ 20,000.00
Snow O/E		\$ 2,000.00
Police S/W		\$ 24,663.08
OEM S/W		\$ 534.00
TOTALS	\$ 47,197.08	\$ 47,197.08

Mr. Misertino made a motion to approve the passage of Resolution 2014-128, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION # 2014 -129
TO AUTHORIZE AND APPROVE SALARIES AND WAGES FOR CERTAIN EMPLOYEES

WHEREAS, Ordinance Numbers 2013-06 and 2014-02 established the salaries and wages for the employees of the Township of Mansfield, County of Warren; and

WHEREAS, certain salaries adopted by resolution did not reflect a step increase in accordance with a collective bargaining agreement; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employee shall be compensated for the year 2013 and 2014, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
James Hikade	Police Officer (2013)	\$90,061
James Hikade	Police Officer (2014)	\$91,412

Mr. Watters made a motion to approve the passage of Resolution 2014-129, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION 2014-130

RESOLUTION CHANGING NAME OF BALDWIN DRIVE TO COREY REED DRIVE

WHEREAS, there is a private drive situated within the Township of Mansfield which has been inadvertently and incorrectly named Baldwin Drive; and

WHEREAS, it is necessary to correct the name of that drive by removing the reference to Baldwin Drive to correctly reflect Corey Reed Drive; and

WHEREAS, the aforesaid drive adjoins the properties as set forth below:

Mansfield Commons	Block 1105, Lot 12.01
Mansfield Commons II	Block 1105, Lot 12.02
Comfort Inn Hotel	Block 1105, Lot 11.07
Shop Rite Plaza	Block 1105, Lot 11.02
Mansfield Plaza	Block 1102, Lot 4.05.

NOW, THEREFORE, BE IT RESOLVED on this 12th day of November, 2014, that the name Baldwin Drive is hereby deleted from all future references in the Township records and the designation of Corey Reed Drive is hereby established to replace same;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to all property owners as above noted with the request that they make appropriate notation of same for all future reference.

Mr. Watters made a motion to approve the passage of Resolution 2014-130, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION # 2014 –131

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of Mansfield will receive \$ 4,400.00 for a Drive Sober or Get Pulled Over Grant and wishes to amend its 2014 budget to include a portion of this amount as a revenue

NOW, THERE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$4,400.00 that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent

Of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:

Drive Sober or Get Pulled Over Grant

BE IT FURTHER RESOLVED, that a like sum of \$4,400.00 be and the same is hereby appropriated under the caption of:

General Appropriations

Operations – Excluded from caps Public and Private Programs

Offset by Revenues:

Drive Sober or Get Pulled Over Grant

BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Mr. Watters made a motion to approve the passage of Resolution 2014-131, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

EXECUTIVE SESSION: Personnel

Mr. Misertino made a motion to enter into Executive Session at 7:44pm, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Return from Executive at 8:19pm.

Mr. Lavery stated that the Township Committee emerges from Executive Session at 8:19pm having discussed a personnel matter, litigation, and a contractual matter and that the minutes from the Executive Session will be available as soon as the Township Committee deems them suitable for release.

Mr. Misertino made a motion to go out for RFP for the position of Prosecutor, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to go out for RFP for Engineering, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading

Mayor Tomaszewski introduced Ordinance 2014-18 by title only.

2014-18

AN ORDINANCE TO CANCEL CAPITAL APPROPRIATION BALANCES AND RECEIVABLE FOR COMPLETED PROJECTS

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances, so that the unexpended balances may be returned to each respective Capital Improvement fund or credited to Capital Fund Balance, and unused debt authorizations may be canceled; and

WHEREAS, a receivable balance of \$14,867.54 entitled Due from Hackettstown, Improvements to Public Buildings-Addition of a Wash Bay remains on the General Capital Balance sheet

WHEREAS, it is necessary to formally cancel the receivable balances from the balance sheet

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield that the following unexpended and dedicated balance of General Capital Appropriations be canceled:

Reserve for Office Equipment	\$ 914.29
Reserve for Police Vehicle	\$ 120.56
Total Cancelled	\$ 1034.85

AND, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Mansfield that the following off setting grant receivable balance be canceled:

Due from Hackettstown	\$14,867.54
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Mr. Clancy made a motion to approve the introduction of Ordinance 2014-18, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None
Abstain: None

COMMITTEE PERSON COMMENTS:

Mayor Tomaszewski made a motion to adopt the Union Contract for the Teamsters, which was seconded by Mr. Misertino.

Mrs. Kocher asked what the vote was for this contract.

Mayor Tomaszewski stated that the men voted two to two and the Union Executive Board approved the contract.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mayor Tomaszewski
Nays: Mrs. Kocher
Absent: None
Abstain: None

Mr. Watters stated that that Township was approved for full allowable monies for the repairs to the church.

Mr. Misertino stated that he requested that Ms. Hrebenak look for ordinances about Abandoned Properties and would like the Township to adopt an ordinance that mirrors this.

Mr. Misertino stated that he would like the Volunteers of the Township have background checks prior to serving the Township.

Mayor Tomaszewski disagreed with Mr. Misertino for the volunteers to be required to have a background check that they need to pay for. If this is going to be done then the Township should be paying for this.

Mr. Misertino stated that the Parks and Recreation would like to have a Tree Lighting on December 12 at 7pm.

Mayor Tomaszewski made a motion to adjourn at 8:37pm.